

DRAFT REGULATORY TEXT

ELECTRONIC WASTE RECYCLING ACT OF 2003 EMERGENCY REGULATIONS

DIVISION OF MATERIALS MANAGEMENT AND LOCAL ASSISTANCE

DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

CALIFORNIA CODE OF REGULATIONS

Note: Amendments are shown in underline to indicate additions and strikethrough to indicate deletions from the existing regulatory text. The symbol “* * *” means that intervening text not proposed for amendment is not shown.

TITLE 14

DIVISION 7

CHAPTER 8.2

AMEND:

ARTICLE 1

ARTICLE 2.0

ARTICLE 2.1

ARTICLE 2.2

ARTICLE 2.3

ARTICLE 2.4

ARTICLE 2.5

ARTICLE 3

ARTICLE 7

Amend sections 18660.5, 18660.6, 18660.7, 18660.10, 18660.11, 18660.12, 18660.13, 18660.14, 18660.15, 18660.17, 18660.18, 18660.19, 18660.21, 18660.22, 18660.30, 18660.32, 18660.35, 18660.36, 18660.37, 18660.38, 18660.41, 18660.49, title 14, California Code of Regulations.

Section 18660.5. Definitions

(a) For the purposes of this Chapter, the following shall apply:

* * *

(5) “Authorized Signatory” or “Signatory Authority” means the person(s) who has authority to legally bind a person, collector, recycler, dual entity, local government, or manufacturer to a contract.

~~(5)~~**(6)** "Bare CRT" means a Cathode Ray Tube with the vacuum relieved and the yoke removed that has been separated from the device housing and has had all circuit boards, wiring and other components detached from the tube.

~~(6)~~ **(7)** "Bare Panel" means an LCD, plasma, or other non-CRT video display panel that has been separated from the device housing and has had all circuit boards, lamps, wiring and other components detached from the panel. Lamps may remain affixed to an otherwise bare panel only if they cannot be removed without breaking.

~~(7)~~ **(8)** "Cancellation" means a processing or treatment method that qualifies CEWs for recycling payments, removes the CEWs from the payment system eliminating the possibility of double payments, dismantles or destroys the original CEW, and results in treatment residuals as specified in Section 18660.32 of this Chapter.

~~(8)~~ **(9)** "Claim Activity Period" means the span of time during which an approved recycler received CEWs from approved collectors, processed and cancelled CEWs, and shipped treatment residuals, as required, that results in a recycling payment claim being submitted to CalRecycle.

~~(9)~~ **(10)** "CRT" means a Cathode Ray Tube with the yoke still attached that has been separated from a CRT device.

~~(10)~~ **(11)** "CRT device" means a whole covered electronic device containing a Cathode Ray Tube.

~~(11)~~ **(12)** "California Source" means persons, as defined in Section 42463(r) of the Public Resources Code, located in California who generate CEWs after their own use of a CED. Persons who receive, accumulate, consolidate, store, or otherwise handle discarded, donated or collected CEWs are not the California sources of those CEWs.

~~(12)~~ **(13)** "CalRecycle" means the Department of Resources Recycling and Recovery.

~~(13)~~ **(14)** "Collection log" means a record maintained by an approved collector that records CEW collection activities as specified in Section 18660.20(j) of this Chapter.

~~(14)~~ **(15)** "Collective Report" means a report submitted to CalRecycle through a trade association, a group of associations, or other organization that represents more than one manufacturer.

~~(15)~~ **(16)** "Commingled" means mixed together and impossible to economically or practically separate. ~~(16)~~ **(17)** "Covered Electronic Device" or "CED", ~~through and including December 31, 2024,~~ has the same meaning, for the purposes of this Chapter, as a covered electronic device specified in Section 42463(g)(1)(A)-~~(B)~~ of the Public Resources Code.

~~(17)~~ **(18)** "Covered Electronic Waste" or "CEW", ~~through and including December 31, 2024,~~ means a discarded device that DTSC has determined to be a covered electronic device, as specified by Section 42463(g)(1)(A)-~~(B)~~ of the Public Resources Code.

~~(18)~~ **(19)** "Designated Approved Collector" means an approved collector, as defined in subsection (a)(2) of this section, that has been designated by a California Local Government to provide CEW collection services for or on behalf of the Local Government in accordance with Article 7 of this Chapter.

~~(19)~~ **(20)** "DTSC" means the Department of Toxic Substances Control.

~~(20)~~ **(21)** "Further treat" means, for the purposes of this Chapter, activities such as crushing, size reduction, washing, cleaning, smelting, or similar steps taken to

process the treatment residual and alter its physical form or characteristics. "Further treat" does not mean, for the purposes of this Chapter, receiving, storing, accumulating, consolidating, brokering, shipping, disposing or other similar activities that do not alter the physical form or characteristics of the treatment residual.

~~(21)~~ **(22)** "Handler", for the purposes of this Chapter, has the same meaning as a universal waste handler or CRT material handler, as applicable, as defined in Section 66273.9 of Title 22 of the California Code of Regulations.

~~(22)~~ **(23)** "Illegal Disposal" means, for the purposes of this Chapter, the disposal or placement of CEWs on a property without the permission of the owner(s) of, or responsible party(ies) for, the property.

~~(23)~~ **(24)** "Initial Destination" means, for the purposes of this Chapter, the location(s) to which treatment residuals are initially shipped by an approved recycler.

~~(24)~~ **(25)** "Load" means a single transfer (a pick up or delivery) of CEWs, such as from a California source to a collector or from a collector to a recycler.

~~(25)~~ **(26)** "Load Check Activities" means, for the purposes of this Chapter, the efforts made to identify, retrieve and divert from the disposed solid waste stream those CEWs that have been illegally discarded by generators. "Load Check Activities" do not include the rejection or acceptance of CEWs due to the lack of source documentation.

~~(26)~~ **(27)** "Manufacturer Payment" or "Manufacturer Take Back Payment" means a payment made by CalRecycle to a registered manufacturer that takes back covered electronic wastes (CEWs) from a California source for the purposes of recycling the CEW pursuant to Section 42476(h) of the Public Resources Code.

~~(27)~~ **(28)** "Manufacturer Payment Claim" means a registered manufacturer's request submitted to CalRecycle with all required documentation for a manufacturer payment.

~~(28)~~ **(29)** "Manufacturer Take Back" means a program administered by a registered manufacturer that accepts CEWs from California sources for the purposes of recycling.

~~(29)~~ **(30)** "PBBs" mean Polybrominated Biphenyls.

(31) "Primary Authorized Signatory" means a person(s) who is the main contact to communicate with CalRecycle and who has the authority to legally bind a person, collector, recycler, dual entity, local government, or manufacturer to a contract.

~~(30)~~ **(32)** "Processing log" means a record maintained by an approved recycler that records CEW activities associated with CEW cancellation, such as but not limited to weighing and dismantling, as specified in Section 18660.21(b) of this Chapter.

~~(31)~~ **(33)** "Product Category", ~~through and including December 31, 2024,~~ means the types of covered electronic devices as defined in Section 42463(g)(1)(A)-(B) of the Public Resources Code. These categories include, but are not limited to, the following:

* * *

(H) Covered battery-embedded products pursuant to Section 42463(f)(1) of the Public Resources Code.

~~(32)~~ **(34)** "Proof of Approval" means the status of an approved collector or approved recycler, as portrayed on the CalRecycle website. The Proof of Approval is associated

with an unique identification number issued by CalRecycle to identify a collector or recycler as being approved pursuant to this Chapter.

~~(33)~~ **(35)** "Proof of Designation" means a document issued by a California Local Government to a Designated Approved Collector in accordance with Article 7 of this Chapter.

~~(34)~~ **(36)** "Receiving log" means a record maintained by an approved recycler that documents CEW transfers from approved collectors to the approved recycler.

~~(35)~~ **(37)** "Recovery payment" means the payment made by an approved recycler to an approved collector in exchange for the transfer of CEWs pursuant to Section 42477 of the Public Resources Code.

~~(36)~~ **(38)** "Recovery payment request" means an approved collector's request for recovery payment made to an approved recycler accompanying the transfer of CEWs.

~~(37)~~ **(39)** "Recycling payment" means the payment made by CalRecycle to an approved recycler that includes a recovery component related to recycler payments to collectors pursuant to Section 42477 of the Public Resources Code and a recycling component for CEW cancellation pursuant to Section 42478 of the Public Resources Code.

~~(38)~~ **(40)** "Recycling payment claim" means an approved recycler's claim that includes all required documentation submitted to CalRecycle for recycling payments for cancelled CEWs.

~~(39)~~ **(41)** "Registered Manufacturer" means a manufacturer as defined in Section 42463(q) of the Public Resources Code who registers with CalRecycle pursuant to this Chapter and therefore may be eligible for manufacturer payments from CalRecycle.

(42) "Signature" or "signed" means either of the following:

(A) An original handwritten signature; or

(B) An electronic signature. An electronic signature includes an electronic sound, symbol, or process attached to or logically associated with an electronic record, executed or adopted by a party with the intent to represent an original handwritten signature.

(1) For claims submitted through CalRecycle's electronic portal, a username and password shall be considered an electronic signature.

(2) An electronic signature may not be denied legal effect, validity, or enforceability solely on the ground that it is electronic.

(3) An electronic signature shall be binding on all persons and for all purposes under the law, as if the signature had been handwritten on an equivalent paper document.

~~(40)~~ **(43)** "Source-anonymous CEWs" means CEWs whose originating California source cannot be identified in collection log information required pursuant to Section 18660.20(j)(1)(B) of this Chapter.

~~(41)~~ **(44)** "Source documentation" means collection logs and other information developed, maintained and transferred pursuant to Section 18660.20(h) of this Chapter that demonstrates the eligibility, originating generator or intermediate handlers of collected CEWs as applicable.

~~(42)~~ **(45)** "Standard Statewide Recovery Payment Rate" means the amount paid to an approved collector per pound of CEWs transferred to an approved recycler to cover the cost of collection, consolidation and transportation of CEWs as established pursuant to Section 42477 of the Public Resources Code.

~~(43)~~ **(46)** "Standard Statewide Combined Recycling and Recovery Payment Rates" means the amount paid to an approved recycler per pound of CEWs cancelled and claimed to cover the cost of receiving, processing and recycling CEWs as established pursuant to Section 42478 of the Public Resources Code, and making recovery payments to approved collectors.

~~(44)~~ **(47)** "Transfer" or "Transferred" means physically changing possession of CEWs, such as a transfer from a California source to a collector or from a collector to a recycler.

~~(45)~~ **(48)** "Transfer documentation" means, for the purposes of this Chapter, records or receipts that record the transfer of CEWs from an approved collector to an approved recycler, which include the weight, number, and source of the transferred CEWs, and the date(s) of transfer.

~~(46)~~ **(49)** "Treatment Residuals" means any material resulting from the dismantling or treatment of a CEW. Treatment residuals are not considered CEWs and are not eligible for recovery or recycling payment, however the costs or revenues associated with managing treatment residuals shall be factored into the net cost of recycling CEW. Treatment residuals may be used to demonstrate the processing of CEWs, and documentation demonstrating the subsequent movement or ultimate disposition of the treatment residuals may be required as part of the claim for payment submitted by an approved recycler.

~~(47)~~ **(50)** "Ultimate disposition" means, for the purposes of this Chapter, the consumption of a treatment residual into a manufacturing process or the disposal of a treatment residual at a permitted disposal facility. Storage of a treatment residual at a site of generation or at an intermediate facility, or accumulation of a treatment residual at a location prior to consuming or disposing, is not ultimate disposition.

Section 18660.6. Applicability and Limitations

* * *

(c) Limitations on the Sources of CEWs and CEWs eligible for payments:

* * *

(3) Source-anonymous CEWs, documented pursuant to Section 18660.20(j)(1)(E) of this Chapter, are eligible for recovery and recycling payments if:

(A) The source-anonymous CEWs result from ~~Load e~~Check aActivities as defined in Section 18660.5(a)~~(2526)~~ conducted at permitted solid waste facilities whose operator is an approved collector or, if not an approved collector, the source-anonymous CEWs are directly transferred from the permitted solid waste facility to an approved collector; or

(B) The source-anonymous CEWs result from illegal disposal clean-up activities conducted by a Local Government, as defined in Section 18660.47, or its Designated Approved Collector; or

(C) The source-anonymous CEWs result from illegal disposal on property owned or managed by an approved collector.

* * *

Section 18660.7. Document Submittals

- (a) A collector, a recycler, a dual entity, a Local Government, or a manufacturer shall prepare and submit applications, registrations, claims, Proofs of Designation, or reports required pursuant to this Chapter in the manner designated by CalRecycle.
- (b) CalRecycle shall only accept collector, recycler or dual entity applications bearing the signatures of ~~all persons with the Primary s~~Signatory aAuthority designated pursuant to Section 18660.11. ~~CalRecycle shall accept claims and reports bearing a signature by any person with signatory authority designated pursuant to Section 18660.11.~~
- (c) CalRecycle shall accept claims and reports bearing a Signature by any person with Signatory Authority designated pursuant to Section 18660.11. Claims and reports bearing a Signature by any person that does not have Signatory Authority designated pursuant to Section 18660.11, shall be deemed incomplete and not be accepted for review or evaluation by CalRecycle.
- ~~(e) (d)~~ CalRecycle shall only accept manufacturer registrations, claims and reports containing all the required information and bearing ~~an original- s~~Signature of the pPrimary Authorized Signatory authority registrant, or a person with signature Signatory aAuthority as ~~as designated by the primary registrant~~ pursuant to Section 18660.35 of this Chapter.
- (e) Beginning April 1, 2026, except where specifically provided otherwise, if a person, collector, recycler, dual entity, local government, or manufacturer, seeks to submit documentation, including an application, payment claim, report, or to provide other information pursuant to the Act and this Chapter, the applicable information shall be submitted to CalRecycle using CalRecycle's electronic portal that is utilized for the purposes of implementing the Covered Electronic Waste Recycling Program.
- (1) Beginning April 1, 2026, all applications, application renewals, claims, and reports must be submitted electronically to CalRecycle using CalRecycle's designated electronic information submittal system and bear the Signature of a person with Signatory Authority designated pursuant to Sections 18660.11 or 18660.35.
- (2) Manufacturer registrations, claims, and reports bearing a Signature by any person that does not have Signatory Authority designated pursuant to Section 18660.35, shall be deemed incomplete and not be accepted for review or evaluation by CalRecycle.
- (3) Except where specifically provided otherwise, information submitted outside CalRecycle's specified electronic information submittal system will not be accepted by CalRecycle for review or consideration.
- (4) Notwithstanding any other law, any electronically filed report, notice, claim, or other document shall be deemed to be a valid, original document, including reproductions of the document made by CalRecycle onto paper or other media.
- (5) Nothing in this subsection shall eliminate the need for compliance with record keeping and record retention provisions required by these regulations.

(d) (f) CalRecycle shall provide forms upon request that may be used to meet the requirements for the applications, registrations, and payment claims specified in this Chapter.

(e) (g) A collector, a recycler, a dual entity, a Local Government, or a manufacturer shall ensure that applications, registrations, claims, reports, Proofs of Designation, and all applicable supporting documentation are accurate, complete, and typed or legibly handwritten in English using permanent ink. A collector, a recycler, a dual entity, or a Local Government may void errors only by using a single line through the error. A collector, a recycler, a dual entity, or a Local Government shall not use correction fluid, correction tape or erasures for correcting errors on any document required by or submitted to CalRecycle.

(f) (h) Any person, including but not limited to, collectors, recyclers, dual entities, local governments, manufacturers, or a handlers, shall not make a false statements or representations in any document filed, submitted, maintained, or used for purposes of compliance with the Act and this Chapter.

(1) If CalRecycle determines that any information that is filed, submitted, maintained, or used for the purposes of compliance with the Act and this Chapter contains one or more false statements, CalRecycle may do any of the following:

(A) Conclude its review of the information submitted and deem it incomplete or insufficient for evaluation or consideration;

(B) Adjust or deny all or any portion of the payment claim by reducing the total dollar amount claimed in a payment claim that is supported by or otherwise relies upon the false statement(s); and

(C) Follow the procedures set forth in Section 18660.44. of this Chapter.

Section 18660.10. Net Cost Report

* * *

(d) An approved collector or approved recycler shall submit to CalRecycle a report on the net costs of recovering CEW or separately recycling CRT CEW and non-CRT CEW for the prior calendar year. The report shall include:

* * *

(10) The Signature and title of a person with ~~signature~~ Signatory ~~a~~ Authority for net cost reports as designated pursuant to Section 18660.11 of this Chapter.

(11) The Signature block shall state and certify the following statement: I hereby declare under penalty of perjury that this net cost report, including any and all figures, calculations and accompanying documents has been examined by me and is true, correct and complete.

* * *

Section 18660.11. General Application Requirements

* * *

(b) In applications for approval, collectors and recyclers shall provide the following general information:

* * *

(2) Type of organization:

* * *

(C) If the organization is a corporation, the applicant shall provide the corporate number and Articles of Incorporation and name and position of all current corporate officers, and directors, as filed with the Secretary of State, any fictitious business name statement, and the agent for service of process.

(D) If the organization is a corporation from a state other than California, the applicant shall provide a copy of the approved certificate from the California Secretary of State qualifying and authorizing the corporation to transact business in California.

(E) If the organization is a ~~husband and wife~~ co-ownership, the applicant shall provide ~~both~~ all names and any fictitious business name statement.

(F) If the organization is a local government agency, and is applying as a recycler or dual entity, the applicant shall provide a copy of the authorizing resolution from the governing board.

(G) If the organization is a limited liability company (LLC), the applicant shall provide a copy of the Articles of Organization and Statement of Information as filed with the Secretary of State, the name of the current managing member(s), any operating agreement, any fictitious business name statement, and the agent for service of process.

* * *

* * *

(4) Name of the ~~contact person~~: Primary Authorized Signatory.

(5) Telephone number(s) of the ~~contact person~~: Primary Authorized Signatory and any other persons included on the application.

(6) ~~An e-mail~~ E-mail address of the ~~contact person~~: Primary Authorized Signatory or organization, if available.

(7) List(s) of the ~~persons (if any)~~: Authorized Signatories, who, in addition to the ~~primary applicant~~ Authorized Signatory, ~~who~~ are authorized to sign:

* * *

(C) Other payment related documents and correspondence with CalRecycle.

(8) An indication of whether the collector or recycler wishes to be included in an ~~on-~~ line registry: online directory.

* * *

Section 18660.12. Additional Application Requirements for Collectors

(a) In addition to the general application information required in Section 18660.11 of this Chapter, a collector shall also include the following information:

* * *

(3) Certification statements by the collector as follows:

* * *

(B) "The undersigned collector certifies under penalty of perjury under the laws of the State of California that the information provided herein is true and correct and that the undersigned has the authority to legally bind the collector to the terms and requirements of the application."

(4) The name and ~~s~~Signature of the ~~p~~Primary applicant Authorized Signatory who has the authority to sign and bind the collector to this application.

(5) The date and location of application.

* * *

(d) Prospective new collectors that are not currently approved participants in the Covered Electronic Waste Recycling Program and are seeking approval to recover only battery embedded products may not submit an application pursuant to Article 2.1 of this Chapter until June 1, 2025.

Section 18660.13. Additional Application Requirements for Recyclers

(a) In addition to the general information required in Section 18660.11 of this Chapter, a recycler shall also include the following information:

* * *

(2) A description of the recycling operation, including:

(A) The method(s) of cancellation used by the recycler, pursuant to Section 18660.32 of this Chapter.

* * *

(3) An explanation and documentation showing how the demonstrations in Public Resources Code Section 42479(b) have been satisfied, including but not limited to the following:

* * *

(B) The recycler demonstrates to CalRecycle that the recycler's facility meets all of the following standards:

1. The facility has been inspected by DTSC within the past 12 months, as specified in Section 42479(b)(2)(A). The inspection must include a demonstration of all CEW cancellation methods pursuant to 18660.32 for which payment claims may be submitted. If a DTSC inspection has been requested but not yet completed, then CalRecycle will review the remainder of the application but withhold approval until the DTSC inspection is completed and the facility found to be in conformance.

* * *

* * *

(5) A completed "Payee Data Record" STD. 204 form (Rev. 6-2003 or as revised) -- Department of Finance, State of California with an ~~original~~ ~~s~~Signature of the ~~p~~Primary applicant Authorized Signatory. The form will be provided by CalRecycle and is hereby incorporated by reference.

(6) Certification statements by the recycler as follows:

* * *

(B) "The undersigned certifies under penalty of perjury under the laws of the State of California that the information provided herein is true and correct and that the undersigned has the authority to legally bind the recycler to the terms and requirements of the application."

(7) The name and ~~s~~Signature of the ~~p~~Primary applicant Authorized Signatory.

* * *

* * *

(c) CalRecycle will accept applications only on or after September 1, 2025, from prospective new recyclers that are not currently approved participants in the Covered Electronic Waste Recycling Program and are seeking approval to submit only battery embedded products payment claims to CalRecycle.

Section 18660.14. Additional Application Requirements for Dual Entities

* * *

(b) In addition to completing and submitting one copy of the General information required in Section 18660.11 of this Chapter, all dual entity approval applications shall contain the information and Signatures required in Sections 18660.12 and 18660.13 for collector applications and recycler applications, respectively.

* * *

(e) CalRecycle will accept applications only on or after September 1, 2025, from prospective new dual entities that are not currently approved participants in the Covered Electronic Waste Recycling Program and are seeking approval to submit only battery embedded products payment claims to CalRecycle.

Section 18660.15. CalRecycle Review of Applications

* * *

(c) After CalRecycle determines that an application is complete, CalRecycle will notify the applicant within 30 calendar days whether the application has been:

(1) Approved, and if so, issue a proof of approval stating the type of approval granted:

(A) Approved collector, ~~or~~

(B) Approved recycler, ~~or~~ or

(C) Approved dual entity.

* * *

* * *

Section 18660.17. Prohibited Activities

(a) CalRecycle may deny an application or revoke or suspend the approval of a collector, ~~or~~ recycler, or dual entity for any of the following prohibited activities:

* * *

(12) Failure to secure, maintain, submit, or transfer documentation as specified by this Chapter.

(13) Failure to notify CalRecycle of changes to information contained in the approved application as specified in Section 18660.18.

(14) Making a false statement or representation in any claim, report, or document filed, submitted, maintained or used for purposes of compliance with this chapter or Division 30, Part 3, Chapter 8.5 of the Public Resources Code.

* * *

Section 18660.18. Changes to Information Contained in an Approved Application

* * *

(c) Beginning June 1, 2025, an approved collector seeking to recover types of CEWs that are different from, or in addition to, the CEWs identified in their application must notify CalRecycle as follows:

(1) The collector shall submit the following information to CalRecycle electronically:

(A) Name of organization and CEWID number.

(B) Mailing address and physical address.

(C) Name of the Primary Authorized Signatory.

(D) Telephone number(s) of the Primary Authorized Signatory and any other persons identified in the application.

(E) E-mail address of the Primary Authorized Signatory.

(F) The types of CEWs the approved collector intends to recover.

(G) The anticipated start date of recovery of the CEWs.

(H) A statement, signed under penalty of perjury by an Authorized Signatory, that the information submitted is true and correct, and that the collector has satisfied the requirements of section 18660.12 of this Chapter.

(2) Submission of this notification pursuant to this subsection shall not modify the expiration date of the collector's existing approved application.

(d) Beginning September 1, 2025, an approved recycler seeking to add new cancellation method(s) or the type(s) of CEWs cancelled pursuant to 18660.32 that were not identified in their approved application must notify CalRecycle as follows:

(1) The recycler shall submit the following information to CalRecycle electronically:

(A) Name of organization and CEWID number.

(B) Mailing address and physical address.

(C) Name of the Primary Authorized Signatory.

(D) Telephone number(s) of the Primary Authorized Signatory and any other persons identified in the application.

(E) E-mail address of the Primary Authorized Signatory.

(F) If applicable, the additional or different types of CEWs cancelled, along with the anticipated start date of cancellation.

(G) If applicable, the additional or different cancellation methods the approved recycler intends to use, along with the anticipated start date of when these methods will be utilized.

(H) A copy of the DTSC inspection report demonstrating that the recycler has satisfied the requirements of section 18660.13 (a)(3)(B)(1) of this Chapter.

(I) A statement, signed under penalty of perjury, that the information submitted is true and correct, and that the recycler has satisfied the requirements of section 18660.13 (a)(3)(B)(1) of this Chapter.

(2) An approved recycler shall not claim recycling payments for different or additional types of CEWs cancelled prior to compliance with this subsection

(3) Submission of this notification pursuant to this subsection shall not modify the expiration date of the recycler's existing approved application.

(e) Beginning September 1, 2025, a dual entity seeking to add new cancellation method(s) or the type(s) of CEWs cancelled pursuant to 18660.32 that were not identified in their approved application must notify CalRecycle as follows:

(1) The dual entity shall submit the following information to CalRecycle electronically:

(A) Name of organization and CEWID number.

(B) Mailing address and physical address.

(C) Name of the Primary Authorized Signatory.

(D) Telephone number(s) of the Primary Authorized Signatory and any other persons identified in the application.

(E) E-mail address of the Primary Authorized Signatory.

(F) If applicable, the additional or different types of CEWs the dual entity intends to recover and cancel, along with the anticipated start date of recovery and cancellation.

(G) If applicable, the additional or different cancellation methods the dual entity intends to use, along with the anticipated start date of when these methods will be utilized.

(H) A copy of the DTSC inspection report demonstrating that the recycler has satisfied the requirements of section 18660.13 (a)(3)(B)(1) of this Chapter.

(I) A statement, signed under penalty of perjury, that the information submitted is true and correct, and that the dual entity has satisfied the requirements of sections 18660.12 and 18660.13 (a)(3)(B)(1) of this Chapter.

(2) A dual entity shall not claim recycling payments for different or additional types of CEWs cancelled prior to compliance with this subsection.

(3) Submission of this notification pursuant to this subsection shall not modify the expiration date of the dual entity's existing approved application.

(f) CalRecycle shall review the notice specified in subsections (c), (d), and (e) using the procedures set forth in section 18660.15 for review, approval, or denial of the notice.

Section 18660.19. Appeal of Denial, Suspension or Revocation of Approval

(a) If CalRecycle denies an application for approval or suspends or revokes an approval, the collector or recycler shall may appeal that decision and request a hearing within 30 calendar days after the date of the denial, suspension or revocation. Any appeal received by CalRecycle after 30 calendar days from the date of the denial, suspension or revocation shall be denied without a hearing or consideration of the appeal.

* * *

Section 18660.21. Requirements for an Approved Recycler

* * *

(l) In addition to the general record keeping requirements in Section 18660.8 of this Chapter, an approved recycler shall maintain the following records:

* * *

(5) Records on the net costs associated with the management of all CRT CEW, and non-CRT CEW, and battery-embedded product CEW handled, and any additional administrative costs of providing recovery payments to approved collectors.

* * *

Section 18660.22. General Requirements for Recycling Payment Claims

(a) An approved recycler shall submit all of the following general information in a claim for recycling payments from CalRecycle:

* * *

(7) ~~The sSignature and title of an person with signature authority~~ Authorized Signatory for payment claims as designated pursuant to Section 18660.11 of this Chapter. The signature block shall include the following certification statements:

* * *

* * *

(e) Prior to April 1, 2026, An approved recycler shall deliver recycling payment claims to CalRecycle's main business office, to the attention of the Accounting Section. An approved recycler shall mark the outside of the package containing the claims clearly with "Covered Electronic Waste Claim Enclosed." On and after April 1, 2026, all recycling payment claims shall be submitted using CalRecycle's electronic portal system pursuant to Section 18660.7.

(f) An approved recycler shall submit timely recycling payment claims so that CalRecycle receives each claim within 45 days of the end of the reporting month, as specified by Sections 18660.24 or 18660.25 of this Chapter. CalRecycle may return without payment any claim received more than 45 days after the end of the reporting month, as specified by Sections 18660.24 or 18660.25 of this Chapter. CalRecycle shall determine a claim's date of receipt as either the date of the postmark on the claim package, or the date the claim package was physically received by CalRecycle, whichever is earlier.

* * *

Section 18660.30. CalRecycle Review of Recycling Payment Claims

* * *

(b) CalRecycle may deny or adjust payment for any of the following reasons:

(1) CalRecycle determines that:

(A) The signature on the claim is not that of a person with ~~signature authority~~ Signature Authority for recycling payment claims as designated pursuant to Section 18660.11 of this Chapter.

* * *

* * *

Section 18660.32. Cancellation Methods

* * *

(b) An approved recycler shall not use or propose cancellation methods that are inconsistent with any DTSC requirements for handling or otherwise processing CEWs, and must comply with all international, federal, state, and local laws.

(c) An approved recycler may use the following standard CEW cancellation methods that qualify for recycling payments as specified in the requirements of this Chapter:

* * *

(3) Cancellation of battery-embedded CEW by removing the embedded battery in a manner that does not damage the battery, and dismantling the CEW into its component parts such as plastics, metals, glass, and fibers.

* * *

Section 18660.35. Manufacturer Registration

* * *

(b) In an application for registration, manufacturers shall provide the following general information:

* * *

(6) Name of the employee or officer of the manufacturer who is the ~~p~~Primary applicant ~~Authorized Signatory~~ authorized to sign:

(A) Payment claims.

(B) Reports.

(C) Other payment-related documentation or correspondence required by CalRecycle.

(7) Name of the employee or officer of the manufacturer (if any), in addition to the ~~p~~Primary applicant ~~Authorized Signatory, who is authorized~~ authorized to sign:

(A) Payment claims.

(B) Reports.

(C) Other-payment related documentation or correspondence required by CalRecycle.

* * *

* * *

(e) In an application for registration, a manufacturer shall make the following certification statements:

* * *

(2) "The undersigned manufacturer certifies under penalty of perjury under the laws of the State of California that the information provided herein is true and correct and that the undersigned has the authority to legally bind the manufacturer to the terms and requirements of the application."

(A) The name and ~~s~~Signature of the ~~p~~Primary applicant ~~who has the authority to sign and bind the manufacturer to this application~~ Authorized Signatory.

(B) The date and location of application execution.

(f) In an application for registration, a manufacturer shall submit a completed "Payee Data Record" STD. 204 Form (Rev. 6-2003 or as revised) -- Department of Finance, State of California ~~with an original a signature of the primary applicant~~. The form will be provided by CalRecycle and is hereby incorporated by reference.

* * *

Section 18660.36. Requirements for a Registered Manufacturer

* * *

(g) In addition to the general record keeping requirements in Section 18660.8 of this Chapter, a registered manufacturer shall obtain and maintain the following records:

* * *

(2) A record of the number of CEWs collected by ~~the p~~Product ~~e~~Category, as defined in Section 18660.5(a)(~~3~~4~~3~~3) of this Chapter.

* * *

* * *

Section 18660.37. Manufacturer Payment Claims

* * *

(b) A registered manufacturer shall submit all of the following general information in a claim for manufacturer payments from CalRecycle:

* * *

(4) The number of CEW devices claimed:

(A) In each ~~p~~Product ~~e~~Category as defined in Section 18660.5(a)(~~3~~4~~3~~3).

* * *

* * *

(6) The ~~s~~Signature and title of a person with ~~s~~Signatory ~~ure~~ aAuthority for payment claims as designated pursuant to Section 18660.35(b)(6) or (7) of this Article. The signature block shall include the following certification statements:

(A) I hereby declare under penalty of perjury that:

1. All claimed CEWs were received from California sources through the manufacture take back program described in the manufacturer registration.
2. All claimed CEWs have been processed for recycling in a manner that results in cancellation as specified in Section 18660.32 of this Chapter or an equivalent result.
3. No claimed CEWs were transferred into the recovery and recycling payment system.
4. I have certified the number of devices and verified the calculations.
5. This payment claim, including any and all accompanying documents, has been examined by me and is true, correct and complete.
6. I understand that errors or omissions on my part may result in CalRecycle delaying or denying payment
7. I further understand that fraud could result in revocation of the manufacturer registration.

* * *

* * *

(e) A registered manufacturer shall attach all of the following to the payment claim:

- (1) A written description of the take back program that collected the CEWs for which payment is being claimed, including the type of consumers from whom CEWs were accepted, and a record of the number of CEWs collected by ~~the p~~Product eCategories, as defined in Section 18660.5(a)(~~3433~~) of this Chapter.

* * *

Section 18660.38. CalRecycle Review of Manufacturer Payment Claims

* * *

(b) CalRecycle may deny payment for any of the following reasons:

(1) CalRecycle determines that:

- (A) The signature on the claim is not that of a person with ~~s~~Signatory ~~ure~~ aAuthority for registered manufacturer payment claims as designated pursuant to Section 18660.35(b)(6) or (7) of this Article.

* * *

* * *

Section 18660.41. Reporting Requirements

Each manufacturer as defined by Section 42463(q) of the Public Resources Code shall submit an annual report to CalRecycle on or before July 1, 2005, and annually thereafter, for the period

of the previous calendar year. Each manufacturer shall report information by brand name of covered electronic devices sold in the state.

* * *

(b) The sales reporting shall include:

(1) Data on the number of covered electronic devices sold in the state by pProduct eCategory.

* * *

(c) The materials reporting shall include:

(1) An estimated average amount in milligrams for mercury, cadmium, lead, hexavalent chromium, including their alloys and compounds, and PBBs used in covered electronic devices, and all their component parts by pProduct eCategory.

* * *

(d) ~~Recyclable~~ Recycled content reporting shall include:

(1) Estimates on the amount in tons of recycled content materials (e.g., plastics, glass, and metals) contained in covered electronic devices;

(2) The increase from the previous year in the use of recycled content materials; and

(3) An explanation of the methodology used to estimate recycled content.

* * *

Section 18660.49. Proof of Designation

* * *

(b) The Proof of Designation, as defined in Section 18660.5(a)(~~3335~~), shall establish the scope of the Designation and include the following information:

* * *

(9) A certification statement signed and dated by a representative of the Designated Approved Collector stating the following:

(A) The representative is an Authorized Signatory listed in the application for approval pursuant to Section 18660.11(b)(7) of this Chapter; and

(B) The Designated Approved Collector agrees to operate in compliance with the requirements of the Electronic Waste Recovery and Recycling Program and all applicable laws and regulations.

* * *